

40-00845 now pending in said court. A copy of the Summons and Complaint in that action are attached hereto, marked Exhibit “A”, and made a part hereof. A copy of the Answer being filed by the Defendant in that action is attached hereto, marked Exhibit “B”, and made a part hereof.

2.

Said action was commenced by service of process consisting of said Summons and Complaint upon Travelers’ registered agent located in Hartford, Connecticut on February 21, 2018. The Summons, Complaint and Answer constitute all pleadings that have been filed in said Court of Common Pleas as of the date of the filing of this Notice of Removal, which is timely filed within thirty (30) days of such service.

3.

There is diversity of citizenship among the parties. This is a controversy between Plaintiffs, citizens and residents of South Carolina and Travelers, who is a citizen of Connecticut. Travelers is not a citizen of the State of South Carolina wherein this action was brought.

4.

While Plaintiffs have not alleged a specific amount in controversy in their Complaint, the matter in controversy exceeds the sum or value of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs. This alleged amount in controversy is evidenced by a January 22, 2016 letter sent from counsel for Plaintiffs to Travelers' claim representative and adjuster Brian Martin. This January 22, 2016 correspondence states, in part, "These losses exceed the policy limits of Five Hundred Forty Five Thousand and no/100(\$545,000.00) Dollars." As a result, the underlying matter clearly exceeds the required amount in controversy. See Exhibit "C", Affidavit of Keith Frohock, attached hereto. Accordingly, this case is a civil action brought in the Court of Common Pleas for which this United States District Court has original jurisdiction due to diversity of citizenship and meets the requisite amount in controversy under Section 1332 of Title 28 of the United States Code.

5.

Travelers has given written Notice of the filing of the Notice of Removal to Plaintiffs and to the Clerk of the Court of Common Pleas. A copy of the Notice of the filing of the Notice of Removal is attached hereto as Exhibit "D."

WHEREFORE, Travelers prays that this Petition be filed, and that said action be removed to and proceed in this Court, and that no further proceedings be had in said case in the Court of Common Pleas.

Respectfully submitted this 22nd day of March, 2018.

/s/ Casey Crumbley
Casey Crumbley
South Carolina Bar No. 81241

Counsel for Travelers

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CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties in this case a copy of the **NOTICE OF REMOVAL** in accordance with the directives from the Court Notice of Electronic Filing (“NEF”), which was generated as a result of electronic filing, to the following:

SAVAGE, ROYALL & SHEHEEN, LLP
VINCENT A. SHEHEEN
P.O. DRAWER 10
CAMDEN, SC 29021

MILLING LAW FIRM
JONATHAN M. MILLING
2910 DEVINE STREET
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This 22nd day of March, 2018.

/s/ Casey Crumbley
Casey Crumbley
South Carolina Bar No. 81241

Counsel for Travelers

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